IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63962 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- GOGRI District- Khagaria

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Samsuddin Son of Nasim Resident of Village- Mushkipur, P.S. Gogari, District- Khagaria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-11-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gogari P.S. Case No. 169 of 2018 registered for the offences punishable under Sections 147, 148, 149, 323, 326, 307, 504 and 506 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has alleged causing firearm injury to Shah Alam by petitioner while informant, Shah Alam and his brother were passing through orchard and going to their house. They saw a mob had assembled and indulged in firing. Informant has alleged that petitioner (Samsuddin) came and fired upon chest of Shah Alam and he was carried to hospital for treatment. During investigation statement of Shah Alam has been recorded.

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In which he has denied that petitioner as causing firearm injury to him and stated that due to cross firing between two groups he was injured and he does not know who fired upon him. The mob had also caught petitioner and tried to trash him but due to intervention of police he was arrested and given a safe passage.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to party politics. Nothing has been recovered from his possession. He has no criminal antecedent and he is in custody since 17.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Gogari P.S. Case No. 169 of 2018.

(S. Kumar, J)

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